

DEERFIELD PLANNING BOARD  
DEERFIELD, NEW HAMPSHIRE  
JANUARY 11, 2012

MINUTES OF MEETING

PRESENT: Board members Fred McGarry, Kate Hartnett, Lisa Wolford, William Perron, Peter Schibbelhute. Also present Planning Consultant Gerald Coogan and secretary Jane Boucher.

Chair Fred McGarry called the meeting to order at 7PM.

APPROVAL OF MINUTES

Lisa Wolford moved to approve the minutes of December 28, 2011. Kate Hartnett seconded.

The following corrections were made to the minutes:

Page 2 : Last Paragraph: Correct to read "...meeting is being planned..."

Page 3: Paragraph 3: Correct to read "...with a citizens group..."

Chair McGarry called for a vote on the motion. Motion carries with William Perron abstaining.

APPROVAL OF MANIFEST

William Perron moved and Lisa Wolford seconded to approve the manifest in the amount of \$1118.55 ( KNA \$1046.09 Site Plan Review; Union Leader \$72.46; time sheet for Jane Boucher 12 Hours). Voted in favor.

CORRESPONDENCE

Two e-mails were received from Harriet Cady regarding the Boards decision not to reconsider a vote taken on November 9.

Chair McGarry read the e-mail dated January 9, 2012 in which Mrs. Cady notes that "she is appalled that Kate and Fred both took part in the discussion as well as voted on my letter requesting appeal. It is quite apparent that under proper Rules of Procedure both would have disqualified themselves. I had expressly stated I wanted them to disqualify themselves which infers problems and yet they still took part in the discussion and vote. There is proof in the newspapers and the Forum of what I state. Fred has written letters against my election to office in Deerfield as well as for other purposes in the Concord Monitor and Kate has written against me in the Forum as well as in circulation of information. It would appear they do not understand when to step aside. The letters are a matter of public record. Although persons told my husband that Fred instigated the report of Cady's property being in violation of zoning and thus the town spent many thousands of dollars which

ended up with the Cady's winning the case, when has that ever been a problem for certain boards persons using taxpayer money to go after those they want to get? Again I appeal since the realistic persons who could have voted ended in a tie vote. I would suggest this is case law and maybe Jerry can provide you with the documentation."

Mrs. Cady also provided copies of RSA 643:1 Official Oppression and 643:2 Misuse of Information.

Fred McGarry commented that he was not involved in the violation of Zoning regarding the Cady property nor was in involved in the court case in any way. He also noted that although he and Mrs. Cady may have differences of opinion, they did not reflect his decision at all.

Kate Hartnett noted that the only thing she can recall regarding the Forum was that Mrs. Cady had written regarding tax rates in Deerfield and comparing them to the Town of Randolph Vermont. Ms. Hartnett said she had provided information regarding the Town of Randolph and it was not against Mrs. Cady.

In full disclosure, Mr. McGarry said he did work for Donald Gorman when he ran for State Legislature against Mrs. Cady.

Board members agreed that no new information has been submitted and no vote should be taken to consider reconsideration.

7:15PM PUBLIC HEARING: ADOPTION OF RULES OF PROCEDURE  
Chair McGarry read the Notice of Public Hearing by which the Planning Board will hold a Public Hearing on Wednesday, January 11, 2012 to consider adoption of Rules of Procedure for the Deerfield PLanning Board.

Board members reviewed the Rules of Procedure and Chair McGarry will add page numbers and signatory lines.

The Public Hearing was closed at 7:21PM.

William Perron moved and Peter Schibbelhute seconded to adopt the Rules of Procedure. Voted in favor.

Kate Hartnett questioned if the Rules of Procedure should have been considered during the Cady hearings and vote.

It was agreed that the Board did not consider the Rules of Procedure, which have been in draft form, during those votes and therefore not germane to the process.

PLAN REVIEW ASSISTANCE

Gerald Coogan provided a memo stating the Board has discussed assessing a fee to applicants at the time of application to cover the Town Planner's time for plan reviews. He referred to NH RSA 676:4 (g) and Section III-8 B of the Town's Subdivision Regulations which provides the Board with such authority.

Mr. Coogan commented that this activity would be a "review of documents". A general estimate of the time required would be about seven hours, which includes meeting with the agent, a site visit, reviewing the plan, preparing questions, preparing a 1st draft and final Plan Review, attendance at the Planning Board public hearing on the case and travel. He estimates the cost at about \$500.00 per case. For major subdivisions and site plans, the fee would be more. Any activity or effort incurred prior to the submission of an application would not be charged to the applicant. A fee would be placed in an escrow account and the Town Planner would submit a "detailed invoice" per NHRSA 676:4-b III.

Gerald Coogan will revise applications and add fees for any necessary legal review and review by the Town Planner.

UPDATE; DEERFIELD PLANNING BOARD

Gerald Coogan provided a memo outlining the following: Telecommunications Plan, Site Plan Review Regulations, CTAP, CIP, Workforce Housing, Tierra Investments, Rollins Excavation, Proposed Cady subdivision, Possible Scenic Byway route and Deerfield Trail Plan. A copy is attached to these minutes.

The meeting was adjourned at 7:50PM.

Recorded and transcribed by Jane Boucher  
Pending Approval by the Planning Board

## MEMORANDUM

January 11, 2012

TO: Deerfield Planning Board (DPB)  
FR: Gerald Coogan, AICP ~~AICP~~  
RE: Update --- Deerfield Planning Program

Telecommunications Plan: SNHPC expects to complete the plan in a few weeks and will provide the Town with a copy at that time.

Site Plan Review Regulations: The Board has conducted two review meetings with Steve Keach, on the draft Site Plan Review Regulations. When you can, please provide comments on the draft.

CTAP - Transportation Plan: KNA is working with the Road Agent to finalize the Town Roadway Management Plan.

Capital Improvements Plan (CIP): Leslie Boswak and I met relative to the update of the Town's CIP, lasted updated in 2005. Leslie has scheduled an initial meeting with Department Heads scheduled on February 2<sup>nd</sup> at 9:00 AM to discuss the CIP process.

Workforce housing: The complete version of the WFH Questions and Answers is on the Town's website. See [http://www.townofdeerfieldnh.com/offices/workforce\\_housing.php](http://www.townofdeerfieldnh.com/offices/workforce_housing.php). The reduced version has been submitted to The Communicator and will be submitted to the Forum in a few weeks. Copies of the Q and A are available at the Town Clerk's office.

Tierra Investments, LLC, Deerfield Place: No new information on this proposal.

Rollins Excavation area: Mrs. Rollins received the Board's letter of December 29, 2011; I encouraged her to have Earl Sanford prepare an existing conditions plan for the site and meet with the Board.

Proposed Cady subdivision - Tax Map 209, Lots 8 & 10, 28 Meetinghouse Hill Road: I sent Mrs. Cady a letter on December 30<sup>th</sup> stating the DPB voted not to reconsider her request for a rehearing.

Possible Scenic Byway route in southern NH: The Town of Deerfield has invited the Towns of Candia, Norwood, Nottingham and Raymond to an informational meeting on Thursday January 12<sup>th</sup> at 6:00 PM at the Deerfield Town Hall on this topic. Representatives from the Southern NH Planning Commission and Strafford Regional Planning Commission will be present.

Deerfield Trail Plan: In an e-mail today, Anne Deely provided the following: "I consider the trail plan to be completed from a contractual standpoint, but because of our personal interest, we still are involved in developing a web presence and would like to spur forward the creation of a trails club. For the trails club to get going, there needs to be clarification of its role and its authority, and my understanding is that these issues need to be hashed out between the conservation commission, planning board, and BOS. The CC traditionally has overseen trail work, but a policy has never been created to clearly state who is responsible for planning and maintaining trails."

cc: Steve Keach, P.E., KNA  
Atty. James Raymond